

REMARKS

Drawings

The examiner has objected to the drawings pursuant to 37 C.F.R. § 1.84(p)(5) as lacking reference characters presented in the specification. In response, Figs. 2, 4 and 5 have been amended to include these characters. In addition, the words “or solar power supply” have been added to Fig. 2, item 16. Antecedent basis for this change is found in the specification on page 23, lines 5-6. No new matter has been added.

Claim Objections

The examiner has objected to claims 45 and 46 for grammatical informalities. These claims have been cancelled, as set forth below.

Rejections Under 35 U.S.C. § 112

The examiner has rejected claims 27-31, 37, 38, and 43-47 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, with respect to claims 27-29, 43 and 47, the examiner asserts that these claims are incomplete for omitting elements directing how the stored data is used in the computations. In response, the applicant has amended these claims to more particularly set out the computational steps including the “comparing” of certain data in claims 27-29, and “multiplying” certain data in claims 43 and 47.

Claims 30 and 31 depend from amended claim 29, and should be allowable if the amendments to claim 29 are satisfactory.

Minor modifications have been made to claims 37, 38 and 44 in accordance with the suggestions of the examiner, which are greatly appreciated.

Claims 45 and 46 have been cancelled.

Rejections Under 35 U.S.C. § 102(b)

5 The examiner has rejected claims 34 and 40 under 35 U.S.C. § 102(b) as being anticipated by Hopkins et al (U.S. 5,097,861). The examiner has also rejected these same base claims (34 and 40) as well as dependent claims 39 and 41 under 35 U.S.C. § 102(b) as being anticipated by Addink et al (U.S. 6,298,285).

10 In response, as set forth in the previous amendment, the applicant points out that the inventions of both Hopkins and Addink rely on the use of evapotranspiration (ET) data in making their respective computations. See Hopkins at 2:20-28; and Addink at 3:34-36 and Fig. 1. In contrast, the present invention deliberately *avoids* the use of ET data, and provides much simpler yet equally effective methods for altering irrigation watering schedules. See specification, page 13, lines 2-5; page 22, lines 6-11; and background beginning on page 4,
15 line 6 through page 12, line 20. The applicant further notes that neither Hopkins nor Addink make any mention of “water budgeting” or any “ratio” much less “computing a water budget ratio” as called for in the claims of the present invention.

20 Independent claims 34 and 40 have been amended to clarify that the claimed local geo-environmental data of the invention does not include evapotranspiration (ET) data. This clearly distinguishes these claims, and the claims which depend therefrom (39 and 41), from both Hopkins and Addink.

Allowed Claims

The examiner has allowed claims 1-26, 32, 33, 42, 48-50. Claims 35-38 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been amended to include such limitations, and are now believed to be in condition for allowance. Base claim 34 has been amended and is believed to be in condition for allowance, making dependent claims 35-38 also allowable.


No new claims are submitted with this amendment.

In view of the above, it is submitted that all pending claims are in condition for allowance. Allowance of the claims at an early date is solicited.

The examiner is encouraged to contact the undersigned by telephone to resolve any outstanding issues concerning this application.

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Respectfully Submitted,

By 
MARK D. MILLER
No. 32,277
Customer No. 25265
Kimble, MacMichael & Upton
5260 N. Palm Ave., Ste. 221
Fresno, California 93704
(559) 435-5500

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In the Drawings

Kindly delete Figs. 2, 4 and 5 and replace them with the attached replacement Figs.

2, 4 and 5. No new matter has been added.